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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,847	03/04/2004	Alexander Kanaris	41066-201700	3857

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EXAMINER
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NICHOLSON III, LESLIE AUGUST

ART UNIT	PAPER NUMBER
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3651

DATE MAILED: 08/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/791,847

Applicant(s)

KANARIS, ALEXANDER

Examiner

Leslie A. Nicholson III

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/29/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/4/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/4/04, 7/29/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This is a first action on the merits of application 10/791847.

#### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 39; and because they do not include the following reference sign(s) mentioned in the description: 37B.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

3. The abstract of the disclosure is objected to because the method claimed in the specification is not in the abstract. In addition, the abstract is too broad and is not a complete sentence. It does not enable the examiner to determine quickly from a cursory inspection the nature and gist of the technical disclosure. See MPEP § 608.01(b) and 37 CFR 1.72.

The disclosure is objected to because of the following informalities:

It appears as though a typographical error has been made on page 6, line 9. The word "on" appears as though it should be replaced by "or" due to how it is used in the sentence.

Reference numeral "1" has been used to describe a "rotatable portion", a "hollow drum or shell", and a "roller tube". Only one should be chosen to describe the part.

It is recited (P7/L2-6) "the outer surface can include any variety of means to increase the co-efficient of friction between the outer surface and the conveyor medium such as...". It is clear what the means are to increase the co-efficient of friction of the outer surface, however the outer surface does not include these means. There is no structure claimed in the invention that enables it to increase its own co-efficient of friction. According to the disclosure (L4-6) the means are external to the invention, and should be worded so as to not indicate that the invention possesses such means.

Due to each objection, appropriate correction is required.

***Claim Objections***

4. Claim 20 is objected to because of the following informalities:

The method recites "barring axis" when it is clear that the intended word to be used is "access". The examiner will interpret the claim according to the assumed intended word. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 6, 7, and 13-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "said first and second spaced stationary shafts" in line 2-3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "said first and second generally cylindrical stationary ends" in line 5-6 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 and 15 recite the limitation "said outer surface" in line 1-2 of each claim. There is insufficient antecedent basis for this limitation in the claims.

Claim 15 describes the outer surface of the hollow drum including means for increasing its co-efficient of friction (see ¶3). How does the friction go about increasing

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itself on the drum? The examiner will interpret the claim to mean that the outer surface of the hollow drum is frictional.

Claim 16 recites the limitation "said motor" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 and 18 recite the limitation "gear means" in line 2 and 3 of the claims, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "said motorized rotatable conveyor roller" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-20, as best understood by the examiner (see ¶3,4,6), are rejected under 35 U.S.C. 102(b) as being anticipated by Kishimoto USP 3,268,066.

Regarding claims 1-12, Kishimoto discloses a similar motorized conveyor roller wherein:

Regarding claim 1,

- The motorized conveyor roller has a rotatable portion (14) and at least one stationary end (42)

Regarding claim 2,

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- said rotatable portion is disposed intermediate to opposite stationary ends  
(41,42) (Fig.5)

Regarding claim 3,

- wherein said rotatable portion comprises a rotatable displaceable roller tube (14)

Regarding claim 4,

- said roller tube includes a motor (14) (C1/L58-59)

Regarding claim 5,

- said stationary end (42) is axially disposed about a central shaft (37)

Regarding claim 6,

- said central shaft comprises a rotatable shaft portion (37) disposed between said first and second spaced stationary shafts (15, and shaft on opposite side and adjacent 41) (C1/L58-60)

Regarding claim 7,

- said first and second stationary shafts carry said two stationary ends respectively  
(Fig.5)

Regarding claim 8,

- said rotatable shaft portion is carried by said motor (Fig.5)

Regarding claim 9,

- one end of said rotatable shaft portion presents a pinion (50) (C1/L65-69)

Regarding claim 10,

- each of said stationary ends comprise a generally cylindrical surface presenting an outer diameter less than the outer diameter of said rotatable roller tube (Fig.4)

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Regarding claim 11,

- said outer diameter of said roller tube is adapted to drive a conveyor belt (Fig.4)

Regarding claim 12,

- said stationary ends bar access to said rotatable roller tube when said stationary ends are accidentally contacted (Fig.3,4,5) (there are points on the stationary ends that when touched, access is barred from the rotatable roller tube)

Regarding claims 13-19, Kishimoto discloses a similar motorized conveyor roller wherein:

Regarding claim 13, comprising:

- a hollow drum (14) defining a rotatable surface (16) having a cylindrical shape disposed between said first and second generally cylindrical stationary ends (41,42) (Fig.5)
- said first and second generally cylindrical stationary ends co-axially mounted to first and second spaced apart stationary shafts respectively (15, and shaft on opposite side adjacent 41) (Fig.5)
- one end of each of said stationary shafts disposed internally of said hollow drum (Fig.5)

Regarding claim 14,

- said outer surface of said hollow drum presents an outer diameter greater than the outer diameter of each of said generally cylindrical stationary ends (Fig.4)

Regarding claim 15,



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- said outer surface of said hollow drum includes means for increasing the coefficient of friction between said outer surface of said hollow drum and said conveyor medium (C2/L32-34) (see ¶3)

Regarding claim 16,

- said motor (14) presents a rotating shaft (37) co-axially disposed between said stationary shafts (Fig.5)

Regarding claim 17,

- one end of said rotating shaft includes a pinion (50)

Regarding claim 18,

- one end of one of said stationary shafts further includes an internal gear (51) connected to said hollow drum and engageable with said gear means (C1/L64-69)

Regarding claim 19,

- said stationary ends are secured to said stationary shafts (Fig.5)

Regarding claim 20, Kishimoto discloses a similar method of barring access (see ¶4) to a motorized rotatable conveyor roller for driving a conveyor medium by disposing said motorized rotatable conveyor roller (14) between opposed generally cylindrical stationary ends (41,42) (Fig.3,4,5).


**Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie A. Nicholson III whose telephone number is 571-272-5487. The examiner can normally be reached on M-F, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8/16/2005  
L.N.

  
GENE O. CRAWFORD  
PRIMARY EXAMINER